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20 July 1956

MEMORANDUM FOR: Claims Branch, Fiscal Division

SUBJECT : Vehicle Accident - Survey Report No. 00836

1. It is the opinion of this Office the circumstances of subject accident are not such as would make the United States liable as if a private person, as provided in the Federal Tort Claims Act, 28 USC 2672, as amended.

2. It is our opinion that there was contributory negligence on the part of the Agency driver in proceeding into the path of the vehicle on Constitution Avenue which had the right of way. The negligence of the driver of the other vehicle is overcome by the contributory negligence of our driver and therefore this Office does not advise attempting to collect damages from the driver of the other vehicle.

3. The file is forwarded.

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[redacted]
Office of General Counsel

cc: Chairman, Headquarters Board of Survey
OGC:JDM:jem
Orig - Addressee
✓Subject - Vehicles - 1
Signer
Chrono

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